

settlements with other similarly situated licensees. To ensure speedy service to cellular customers, the FCC would have 90 days from date of enactment to award permanent licenses, and if any company failed to comply with FCC requirements the FCC would auction the license. The licenses would be subject to a five-year transfer restriction, and the Minnesota and Florida licenses would be subject to accelerated build-out requirements.

I am submitting a copy of this legislation to be included in the RECORD.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REINSTATEMENT OF APPLICANTS AS TENTATIVE SELECTEES.

(a) IN GENERAL.—Notwithstanding the order of the Federal Communications Commission in the proceeding described in subsection (c), the Commission shall—

(1) reinstate each applicant as a tentative selectee under the covered rural service area licensing proceeding; and

(2) permit each applicant to amend its application, to the extent necessary to update factual information and to comply with the rules of the Commission, at any time before the Commission's final licensing action in the covered rural service area licensing proceeding.

(b) EXEMPTION FROM PETITIONS TO DENY.—For purposes of the amended applications filed pursuant to subsection (a)(2), the provisions of section 309(d)(1) of the Communications Act of 1934 (47 U.S.C. 309(d)(1)) shall not apply.

(c) PROCEEDING.—The proceeding described in this subsection is the proceeding of the Commission in re Applications of Cellwave Telephone Services L.P., Futureware General Partners L.P., and Great Western Cellular Partners, 7 FCC Rcd No. 19 (1992).

SEC. 2. CONTINUATION OF LICENSE PROCEEDING; FEE ASSESSMENT.

(a) AWARD OF LICENSES.—The Commission shall award licenses under the covered rural service area licensing proceeding within 90 days after the date of the enactment of this Act.

(b) SERVICE REQUIREMENTS.—The Commission shall provide that, as a condition of an applicant receiving a license pursuant to the covered rural service area licensing proceeding, the applicant shall provide cellular radio-telephone service to subscribers in accordance with sections 22.946 and 22.947 of the Commission's rules (47 CFR 22.946, 22.947); except that the time period applicable under section 22.947 of the Commission's rules (or any successor rule) to the applicants identified in subparagraphs (A) and (B) of section 4(I) shall be 3 years rather than 5 years and the waiver authority of the Commission shall apply to such 3-year period.

CALCULATION OF LICENSE FEE.—

(1) FEE REQUIRED.—The Commission shall establish a fee for each of the licenses under the covered rural service area licensing proceeding. In determining the amount of the fee, the Commission shall consider—

(A) the average price paid per person served in the Commission's Cellular Unserved Auction (Auction No. 12); and

(B) the settlement payments required to be paid by the permittees pursuant to the consent decree set forth in the Commission's order, in re the Tellesis Partners (7 FCC Rcd 3168 (1992)), multiplying such payments by two.

(2) NOTICE OF FEE.—Within 30 days after the date an applicant files the amended application permitted by section 1(a)(2), the Commission shall notify each applicant of

the fee established for the license associated with its application.

(d) PAYMENT FOR LICENSES.—No later than 18 months after the date that an applicant is granted a license, each applicant shall pay to the Commission the fee established pursuant to subsection (c) of this section for the license granted to the applicant under subsection (a).

(e) AUCTION AUTHORITY.—If, after the amendment of an application pursuant to section 1(a)(2) of this Act, the Commission finds that the applicant is ineligible for grant of a license to provide cellular radio-telephone services for a rural service area or the applicant does not meet the requirements under subsection (b) of this section, the Commission shall grant the license for which the applicant is the tentative selectee (pursuant to section 1(a)(1)) by competitive bidding pursuant to section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)).

SEC. 3. PROHIBITION OF TRANSFER.

During the 5-year period that begins on the date that an applicant is granted any license pursuant to section 1, the Commission may not authorize the transfer or assignment of that license under section 310 of the Communications Act of 1934 (47 U.S.C. 310). Nothing in this Act may be construed to prohibit any applicant granted a license pursuant to section 1 from contracting with other licensees to improve cellular telephone service.

SEC. 4. DEFINITIONS.

For the purposes of this Act, the following definitions shall apply:

(1) APPLICANT.—The term "applicant" means—

(A) Great Western Cellular Partners, a California general partnership chosen by the Commission as tentative selectee for RSA #492 on May 4, 1989;

(B) Monroe Telephone Services L.P., a Delaware limited partnership chosen by the Commission as tentative selectee for RSA #370 on August 24, 1989 (formerly Cellware Telephone Services L.P.); and

(C) FutureWave General Partners L.P., a Delaware limited partnership chosen by the Commission as tentative selectee for RSA #615 on May 25, 1990.

(2) COMMISSION.—The term "Commission" means the Federal Communications Commission.

(3) COVERED RURAL SERVICE AREA LICENSING PROCEEDING.—The term "covered rural service area licensing proceeding" means the proceeding of the Commission for the grant of cellular radiotelephone licenses for rural service areas #492 (Minnesota 11), #370 (Florida 11), and #615 (Pennsylvania 4).

(4) TENTATIVE SELECTEE.—The term "tentative selectee" means a party that has been selected by the Commission under a licensing proceeding for grant of a license, but has not yet been granted the license because the Commission has not yet determined whether the party is qualified under the Commission's rules for grant of the license.

HONORING THE RECIPIENTS OF THE SANTA ANA POLICE EMPLOYEE RECOGNITION AWARDS

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 14, 1999

Ms. SANCHEZ. Mr. Speaker, I rise today in honor of the recipients of the Santa Ana Police Employee Recognition Awards. It is because of their dedication and commitment to law enforcement that the City of Santa Ana is safer for all of its residents.

It is in honor of National Law Enforcement Week that I salute our nation's police officers, and especially those of the 46th Congressional District in Orange County.

Seven hundred thousand police officers serve the U.S. each day. Most Americans probably don't know that our nation loses an average of almost one officer every other day. And that doesn't include the ones who are assaulted and injured each year.

More than 14,000 officers have been killed in the line of duty. The sacrifice of California officers has given our state the highest number of police deaths: 1,205. In Santa Ana alone, we have lost three officers who bravely protected our community.

The calling to serve in law enforcement comes with bravery and sacrifice. The thin blue line protecting our homes, our families and our communities pays a price, and so do the loved ones they leave behind when tragedy strikes.

We cannot replace the officers we've lost. We can't bring them back to their families or departments. All we can do is grieve for their loss.

But as their federal representatives, we have a greater responsibility. We must ensure that our law enforcement agencies—and their officers and staff—have the resources they need to do their jobs safely.

And today, we fulfill the most solemn part of our obligation to America's police force: we promise that when an officer does make that sacrifice, he or she will earn a place of the highest national respect with all due honor from the U.S. government.

FIRE ADMINISTRATION AUTHORIZATION ACT OF 1999

SPEECH OF

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 11, 1999

Mr. CASTLE. Mr. Speaker, I rise today in strong support of H.R. 1550, the Fire Administration Authorization Act of 1999 because it embodies the proper role the federal government can play in the important area of fire prevention.

The U.S. Fire Administration (USFA) is charged with reducing the number of fires and fire deaths in the United States. In 1997, the number of fires reached 1.79 million, claimed 4,050 lives, and produced \$8.5 billion in damages. Given these large numbers, sometimes the temptation is to forge ahead creating new programs and pouring billions of taxpayer dollars into grants with Federal strings attached despite the expertise and accountability found best at the local level. In my state of Delaware, most of the firefighters are volunteers. They serve as firefighters out of dedication to their communities. In addition, because they are taxpayers in these communities, they make careful, calculated decisions about what investments are really needed in fire prevention. The United States should encourage more of this style of government and less top-down, centralized control.

H.R. 1550 resists that temptation and maintains the proper role of the federal government